

City of Marietta

205 Lawrence Street Post Office Box 609 Marietta, Georgia 30061

Meeting Minutes LITIGATION MANAGEMENT COMMITTEE

R. Steve Tumlin, Mayor G. A. (Andy) Morris, Personnel/Insurance Committee Chair Jim King, Public Works Committee Chair

Monday, March 11, 2013

12:00 PM

Council Chamber

Presiding: R. Steve Tumlin

Present: G. A. (Andy) Morris and Jim King

Also Present:

William F. Bruton, Jr., City Manager Douglas R. Haynie, City Attorney Stephanie Guy, City Clerk

CALL TO ORDER:

Committee member R. Steve Tumlin called the meeting to order at 12:10 p.m.

MINUTES:

20130298

Regular Meeting - October 18, 2011

Review and approval of the October 18, 2011 minutes.

A motion was made by Committee member King, seconded by Committee member Morris, that this matter be Approved. The motion carried by the following vote:

Vote: 3 - 0 - 0 Approved

BUSINESS:

20130299

Executive Session

Legal Matters. Committee Members, City Manager and attorneys only.

A motion was made in open session by Committee member King, seconded by Committee member Morris, to enter an Executive Session to discuss pending and/or potential legal matters. The motion carried by the following vote:

Vote: 3 - 0 - 0 Approved

For: R. Steve Tumlin, G. A. (Andy) Morris and Jim King

The Executive Session was held.

A motion was made in open session by Committee member King, seconded by Committee member Morris, to close the Executive Session. The motion carried by the following vote:

Vote: 2 - 0 - 0 Approved

For: R. Steve Tumlin, G. A. (Andy) Morris and Jim King

20130300 Pending or Potential Litigation

Motion to authorize and direct the attorneys for the City of Marietta to take appropriate action to respond to the latest correspondence demand and public comment from PMG 358 Roswell Street, LLC.

Motion to authorize and direct the attorneys for the City of Marietta to take appropriate action to respond to the latest correspondence demand and public comment from PMG 358 Roswell Street, LLC., and further to authorize the City Attorney to respond to future related demands and comments.

The motion was made by Committee member King, seconded by Committee member Morris, that this matter be Approved. The motion carried by the following vote:

Vote: 3 - 0 - 0 Approved

Discussion was held regarding the disclosure and amended disclosure submitted by Philip M. Goldstein regarding the item on the March 6, 2013 City Council agenda. The City Clerk stated that the original disclosure was submitted by email when the Motion to deny the claim of PMG 358 Roswell Street, LLC was added to the February 25, 2013 Public Works Committee agenda. The disclosure then carried over to the March 6 Council agenda, which is the normal procedure.

During the March 6 Council meeting, discussion was held regarding the validity of the disclosure. At that time, Mr. Goldstein stated that he would amend his disclosure and provided that amendment to the City Clerk. Both documents were submitted to the Committee for the record.

20130301 Pending or Potential Litigation

Discussion and/or motion or motions related to any matter(s) related to the above or phase of any litigation or pending or potential litigation in which the City of Marietta is involved. This item will allow multiple motions at the discretion of the committee.

A motion was made by Committee member King, seconded by Committee member Morris, to authorize the City Attorney to send a note to City Council with a recommendation from the Litigation Management Committee that they have no correspondence with Mr. Goldstein regarding this matter. The motion carried by the following vote:

Vote: 3 - 0 - 0 Approved

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The meeting was adjourned at 12:42 p.m.
Respectfully submitted,
Stephanie Guy, City Clerk
Approved: